



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 29, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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May 29, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**REJECT BIDS AND ADOPT AND ADVERTISE
MARINA DEL REY SANITARY SEWER
MANHOLE LINING, PHASE 3
IN THE UNINCORPORATED COMMUNITY OF MARINA DEL REY
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action is to reject all bids received on November 1, 2011, adopt the revised plans and specifications to construct lining for sanitary sewer manholes for Marina del Rey Sanitary Sewer Manhole Lining, Phase 3, in the unincorporated community of Marina del Rey, and call for bids.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Reject all bids received on November 1, 2011, for Marina del Rey Sanitary Sewer Manhole Lining, Phase 3, in the unincorporated community of Marina del Rey.
2. Adopt the revised plans and specifications that are on file in the Construction Division of the Department of Public Works for Marina del Rey Sanitary Sewer Manhole Lining, Phase 3, sanitary sewer manhole lining, at an estimated construction contract cost between \$600,000 and \$700,000.
3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on June 26, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to

the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to reject all bids received on November 1, 2011, adopt the revised plans and specifications and advertise for bids for the lining of sanitary sewer manholes and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended action will further this goal by extending the life of the sanitary sewer system in the vicinity of the County of Los Angeles (County) businesses and residences.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$600,000 to \$700,000. Funding for this project is included in the Recommended Fiscal Year 2012-13 Marina del Rey Sewer Maintenance District Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Instruction to Bidders included in the bid documents provides for the rejection of all bids by your Board if such action is in the best interest of the County. On November 1, 2011, two bids were received and opened. The lowest bid was from RePipe-California, Inc., (RePipe) in the amount of \$570,300. With its bid, RePipe submitted an alternate method for lining the manholes. On November 10, 2011, we received a bid protest from Sancon Engineering, Inc., related to RePipe's alternate method. We reviewed RePipe's alternate method and determined that it does not meet the specifications; therefore, it was rejected. Upon review of the contract specifications, we determined they could be improved to allow for greater competition. We believe rejecting all bids and readvertising the project with revised contract specifications to allow for alternate methods of performing the work will secure the lowest possible bid and is; therefore, in the best interest of the County.

This project, to contract for the construction of lining sanitary sewer manholes, is part of the Department of Public Works' (Public Works) ongoing program for the operation, maintenance, and repair of sewer systems. It will be advertised in accordance with Section 20125 of the State Public Contract Code.

This project is to be completed in 70 working days. It is estimated the work will start in October 2012 and be completed in January 2013.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Section 15301(b) of the California Environmental Quality Act Guidelines and Class 1, Subsection (e), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions relate to the maintenance, repair, and minor alteration of existing publicly owned sewer facilities.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by

your Board will be made after review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by extending the life of the sanitary sewer system in the vicinity of County businesses and residences.

CONCLUSION

Please return one adopted copy of this letter to Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid.

GAIL FARBER

Director

GF:JTS:ma

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)